

Conference Urges Regional Plan For Industry to Curb Strikes

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Industries can only be promoted by the deliberate organization of that relationship. Not only must the theory that labor is a commodity be abandoned, but the concept of leadership must be substituted for that of master-ship. New machinery of democratic representation may be erected to suit the conditions of present industry and restore a measure of personal contact and a sense of responsibility between employer and employee. The more recent development of such machinery in the form of the National Industrial Board of Conciliation and Arbitration is a hopeful sign. But back of any machinery must be the power which moves it. Human fellowship in industry may be either a right or a phrase or a living fact. There is no magic formula. It can be a fact only if there is continuous and sincere effort for mutual understanding and an unflinching recognition that there is a community of interest between employer and employee.

Seek to Prevent Breaks

"Pending the growth of better relationships between employers and employees, the practical approach to the problem is to devise a method of preventing or retarding conflicts by providing machinery for the adjustment of differences. The conference believes that it is possible to set up a more effective series of tribunals for the adjustment of disputes than at present exists. To be successful such tribunals must be so organized as to operate promptly as well as impartially. There must be full participation by employers and employees. There must be representation of the public to safeguard the public interest. The machinery must not be used to promote unfairly the interests of organizations, either of labor or of capital. The plain fact is that the public has long been neglected about the problems of industry. It is becoming uneasy about the power of great labor organizations. The community must be assured against domination by either. On the other hand, there must be equal assurance that such machinery will not be used to discriminate against organizations of employees or of employers. Both should be protected. The right of association on either side should not be affected or denied as a result of the creation of such tribunals.

The plan which follows does not propose to do away with the ultimate right to strike, to discharge, or to maintain the closed or the open shop. It is designed to bring about a frank recognition of the public interest in the cool and calm consideration of the questions involved, in association with other persons familiar with the industry.

The plan is national in scope and operation, so it is decentralized. It is different from anything in operation elsewhere. It is based upon American experience and is designed to meet American conditions. To facilitate discussion, the plan submitted, while entirely tentative, is expressed in positive form and made definite as to most details.

Scheme for Tribunal

"II. Plan for Boards of Inquiry and Adjustment.—1. National Industrial Tribunal.—There shall be established a National Industrial Tribunal and regional boards of inquiry and adjustment.

"2. National Industrial Tribunal.—The National Industrial Tribunal shall have its headquarters in Washington and shall be composed of nine members chosen by the President and confirmed by the Senate. Three shall represent the employers of the country and shall be appointed upon nomination of the Secretary of Labor. Three shall be representatives of the public interest and shall be appointed by the President. Three shall represent employees and shall be appointed upon nomination of the Secretary of Labor. Three shall be representatives of the public interest and shall be appointed by the President. Three shall represent employees and shall be appointed upon nomination of the Secretary of Labor.

"The tribunal shall be, in general, a board of appeal. Its determinations on disputes coming to it upon an appeal shall be by unanimous vote. In case it is unable to reach a determination, it shall make and publish majority and minority reports which shall be matters of public record.

"3. Industrial Regions.—The United

States shall be divided into a specified number of industrial regions. The conference suggests twelve regions with boundaries similar to those established under the Federal Reserve system, with such modifications as the industrial situation may make desirable.

Regional Direction

"4. Regional Chairmen and Vice-Chairmen.—In each region the President shall appoint a regional chairman. He shall be a representative of the public interest, shall be appointed for a term of three years and be eligible for reappointment.

"Whenever in any industrial region, because of the multiplicity of disputes, prompt action by the regional board is impossible, or where the situation makes it desirable, the National Industrial Tribunal may in its discretion choose one or more vice-chairmen and provide for the establishment under their chairmanship of additional regional boards.

"5. Panels of Employers and Employees for Regional Boards.—Panels of employers and employees, for each region shall be prepared by the Secretary of Labor, respectively, after conference with the employers and employees, respectively, of the regions. The panels shall be approved by the President.

"The panels of employers shall be classified by industry; the panels of employees shall be classified by industries and sub-classified by crafts. The names of employers and employees selected shall be at first entered on a list of names in an order determined by lot.

"The selection from the panels for service upon the regional boards shall be made in rotation by the regional chairmen. After service the name of the one so chosen shall be transferred to the foot of his panel.

Boards of Adjustment

"6. Regional Board of Adjustment.—Whenever a dispute arises in a plant or group of plants which is not settled by agreement of the parties or by existing machinery the chairman may on motion, unless disapproved by the National Industrial Tribunal, and shall at the request of the Secretary of Labor or the Secretary of Commerce, select one or more vice-chairmen and provide for the establishment under their chairmanship of additional regional boards.

"When both sides shall have selected their representatives the chairman shall take from the top of the panels for the industry concerned, or in the case of employees for the craft or machinery, the names of employers and employees, respectively. The representatives selected by the two sides, shall be entitled to a specified number of peremptory challenges of the names so taken from their respective panels. When two unchallenged names of employers and employees shall have been selected in this manner they, with the chairman and the representative selected by the two sides, shall constitute a regional board of adjustment.

"The appointment of representatives of both sides shall constitute an agreement to submit the issue for adjustment, and further shall constitute an agreement by both sides that they will continue, or reconstituted and continue, the status thereof at the time the dispute arose.

"The board of adjustment so constituted shall proceed at once to hear the two sides for the purpose of reaching a determination. Such determination must be by unanimous vote. In case the board is unable to reach a determination the question shall, unless referred to an umpire, as provided in

Section 9, pass upon appeal to the National Tribunal.

Boards of Inquiry

"7. Regional Boards of Inquiry.—If either side to the dispute fails to sit on the period fixed by the chairman, to select its representative, the chairman shall proceed to organize a regional board of inquiry. Such regional board of inquiry shall consist of the regional chairman, two employers selected in the manner specified from the employers' panel, and two employees selected in like manner from the employees' panel and of the representative of either side that may have selected a representative to the board. If neither side shall select a representative within the time fixed by the chairman the board of inquiry shall consist of the chairman and the four panel members only.

"Upon the selection of a representative, within the specified time, the side concerned shall be entitled to the specified number of peremptory challenges as provided in the preceding paragraph. The representative shall have the right to select a representative to the board of inquiry, and to take full part as a member of such board in the proceedings thereof.

"The board of inquiry as so constituted shall select a representative to the board of inquiry, and to take full part as a member of such board in the proceedings thereof.

"The National Industrial Tribunal, the regional boards of adjustment and the regional boards of inquiry shall be organized in such a manner that their determinations shall be effective and binding. In case of emergency a regional adjustment board or the National Industrial Tribunal may, after hearing both sides, alter its determination by abridging or by extending the period specified.

"13. Special Panels of the National Industrial Tribunal shall be six; three at the outset three members, including one from each group, shall be appointed for a term of two years, three members for a term of six years; thereafter three members, one from each group, shall retire at the end of each period of two years. Members shall be eligible for reappointment.

"The regional panels provided for in Section 5 shall be revised annually by the Secretary of Labor and the Secretary of Commerce, respectively, in conference with the employers and employees, respectively, of each region.

No Effect on Existing Machinery

"14. Relation of Boards to Existing Machinery for Conciliation and Adjustment.—The establishment of the National Industrial Tribunal, the regional boards of adjustment and the regional boards of inquiry shall not affect existing machinery of conciliation, adjustment and arbitration existing after the date fixed in the original request of the chairman shall, because of its delay, suffer a reduction in the number of peremptory challenges to which it otherwise would have been entitled.

"The board of adjustment so constituted shall proceed to the determination of the dispute as though it had been organized within the period originally fixed by the chairman.

"9. Umpire.—When a regional board of adjustment is unable to reach a unanimous determination it may by unanimous vote select an umpire and refer the dispute to him. The umpire shall have the same force and effect as a unanimous determination of such regional board.

"10. Combination of Regions.—Whenever the questions involved in a dispute extend beyond the boundaries of a single region, the regions to which the dispute extends shall, for the purpose of such dispute, be combined in order of the National Industrial Tribunal, which shall designate the chairman of one of the regions concerned to act as chairman in connection with the dispute in question.

"Two employee members and two employer members shall be chosen from the combined panels of the regions involved in the dispute and the representatives selected by the two sides, shall be entitled to a specified number of peremptory challenges of the names so taken from their respective panels. When two unchallenged names of employers and employees shall have been selected in this manner they, with the chairman and the representative selected by the two sides, shall constitute a regional board of adjustment.

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to subpoena witnesses, to examine them under oath, to require the production of books and papers pertinent to the inquiry, and their assistance in all proceedings to enable the board to ascertain the facts in reference to the causes of the dispute and the basis of a fair adjustment. Provision shall be made by law for the protection of witnesses called in reference to the causes of the dispute and the basis of a fair adjustment. Provision shall be made by law for the protection of witnesses called in reference to the causes of the dispute and the basis of a fair adjustment.

"All members of the tribunal and boards heretofore described, including the chairman and vice-chairman, shall be entitled to vote.

"The President shall have the power of removal of the members of the tribunal and boards.

"The representation of evidence to the tribunals and the boards each side shall have the right to present its position through representatives of its own choosing.

Representative Choice Sought

"The Secretary of Commerce and the Secretary of Labor in making nominations for the National Industrial Tribunal and in preparing and revising the regional panels of employers and employees shall have the right to select a representative to the board of inquiry, and to take full part as a member of such board in the proceedings thereof.

"The National Industrial Tribunal, the regional boards of adjustment and the regional boards of inquiry shall be organized in such a manner that their determinations shall be effective and binding. In case of emergency a regional adjustment board or the National Industrial Tribunal may, after hearing both sides, alter its determination by abridging or by extending the period specified.

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weaken the position of the board. When both parties join, the board at once becomes a board of adjustment, and conflict ceases by agreement until a determination is reached.

Public Utility Industries

"IV. Statement as to Public Utility Industries.—The public utility industries present greater difficulties in application to certain public utilities than to competitive industry. The continuous operation of public utilities is vital to public welfare. As the capital invested in public utility industries is so large, the labor engaged in public service, and the withdrawal of either, with the result of suspending service, makes the people the real victim. While continuous operation of public utilities is essential to the general convenience of the people, that of some of them is essential to their very existence. Of the latter class the railways are a conspicuous example. The public utility industries should be applied to public utilities, but in the adaptation of the plan two problems present themselves. First, governmental regulation of public utilities is now usually confined to rates and services. The conference considers that there must be some merging of responsibility for regulation of rates and services and settlement of wages and hours of labor. Such coordination would give greater security to the public, to employee and to employer. Second, is the problem whether some method can be devised to prevent any day of interruption to service. These matters require further consideration before concrete proposals are put forward.

Plan for United States Employees

"V. Statement as to Government Employees.—The government is established in the interests of all the people. It can be conducted effectively only by men who are free to its service without an undivided allegiance. The terms and conditions of employment in the government service are prescribed by law. Therefore no interference by any group of government employees, or others, with the continuous operation of government functions through concerted cessation of work or threats thereof can be permitted.

"The public government employees should be associated with mutual protection, the advancement of their interests, or the presentation of grievances cannot be denied, but no such employees who are connected with the administration of justice or the maintenance of public safety or public order should be permitted to join or retain membership in any organization which authorizes the use of the strike or which is affiliated with any organization which authorizes the strike.

"The conference is not now expressing an opinion upon the propriety of the affiliation of other classes of government employees with organizations which authorize the use of the strike.

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in its field the conference hopes that it may be able to contribute something more toward the better industrial relations described in the words addressed to it by the President when he called it into being. To this end it invites the cooperation of all citizens who have at heart the realization of this ideal of a better industrial civilization.

THE PRESIDENT'S INDUSTRIAL CONFERENCE

The report is signed by: Secretary W. B. Wilson, chairman; Herbert Hoover, vice-chairman; Martin H. Glynn, Thomas W. Gregory, Richard Hooker, Stanley King, Samuel W. McCall, Henry M. Robinson, Julius Rosenwald, Oscar S. Straus, Henry C. Stuart, F. W. Taussig, William O. Thompson, Henry J. Waters, George W. Wickersham and Owen D. Young.

Arctic Birds Seen in Ohio

YOUNGSTOWN, Ohio, Dec. 28.—George L. Fordyce, state bird observer, declared today that Arctic birds, which are very rarely seen so far south, are in this region, a phenomenon which he says is not likely to recur for many years. He would not hazard a guess as to what kind of weather the presence of the birds forecasts.

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